

COMMITTEE AMENDMENT FORM

DATE: 08/30/ 06

COMMITTEE ZONING PAGE NUM. (S) _

ORDINANCE I. D. #06-O-0576 SECTION (S)

RESOLUTION I. D. #06-R- PARA.

AMENDS THE LEGISLATION BY ADDING NINE (9) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 8/29/06

City Council
Atlanta, Georgia

06-O-0576

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-13/Z-71-169
Date Filed: 2-06-06

AN ORDINANCE TO AMEND ORDINANCE Z-71-169-S, ADOPTED BY THE BOARD OF ALDERMAN ON DECEMBER 20, 1971 AND APPROVED BY THE MAYOR DECEMBER 22, 1971 REZONING FROM THE R-3 (SINGLE FAMILY RESIDENTIAL) AND R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICTS TO THE A-1-C (APARTMENTS-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT **3391 FORREST PARK ROAD, S.E.**, FOR THE PURPOSE OF APPROVING AN AMENDED SITE PLAN.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the currently adopted site plan governing the development approved by Ordinance Z-71-169-S is hereby adopted in lieu thereof with a revised site plan, outlined in the attached conditions, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 2, 14^h District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-13 for 3391 Forrest Park Road, S.E.

1. A site plan entitled "The Estates @ Forest Park Road" prepared by BH&D Engineering, Inc. dated 05/8/06 and marked received by the Bureau of Planning May 11, 2006. The number of units shall not exceed 300.
2. Total number of units shall not exceed 300 (consisting of 39 single family detached houses, 42 detached patio homes, 220 attached townhouses (consisting of not more than 6 townhouses per building unit))
3. The minimum heated square footage of any one unit shall be limited to 1250 sq. ft. with an average unit size of 1500 sq. ft. (this does not include garage space)
4. Each single family detached unit shall include a 2-car garage; attached units should vary with rear yard parking and/or at least a single car garage
5. There shall be only one (1) entrance/exit leading from the development onto Forrest Park Road; entrance determined by the City Traffic Dept.; in the event an additional entrance is required, the developer will make every effort to limit its configuration as to movements
6. Depending on the City's approval deceleration and acceleration lanes shall be installed at the entrance of the development
7. Complex shall include pocket-parks, recreation areas and walking paths as shown on the site plan.
8. The facades of the buildings shall be constructed of varying combinations of brick, vinyl cultured stone and/or vinyl shake shingle.
9. The building setback from Forest Park Road shall be no less than 50 ft.

24 HOUR EMERGENCY CONTACT: FRED ZOHOURI (770) 314-0488

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Atlanta, Georgia

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the currently adopted site plan governing the development approved by Ordinance Z-71-169-S is hereby adopted in lieu thereof with a revised site plan, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 2, 14^h District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Legal Description

All that tract or parcel of land lying and being in Land Lot 2 of the 14TH District, in the City of Atlanta of Fulton County, Georgia and being more particularly described as follows:

Commencing at the Land Lot corner created by Land Lots 30, 31, 3 & 2, said point being the **TRUE POINT OF BEGINNING**;

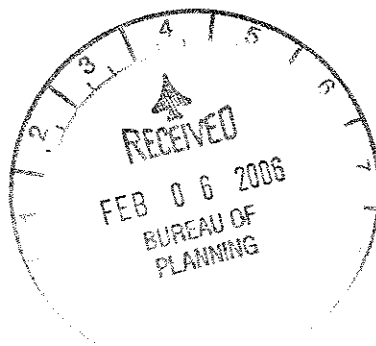
Thence along land lot line created by Land Lots 2 & 3 proceeding South 88 degrees 32 minutes 26 seconds East for a distance of 1378.80 feet to a point along the right-of-way of Forrest Park Road (having a variable right-of-way); Thence proceeding along said right-of-way South 14 degrees 51 minutes 59 seconds West for a distance of 137.08 feet to a point; Thence continuing along said right-of-way and proceeding to a curve having a radius of 1046.76 feet (said curve having an arc distance of 140.81 feet and being subtended by a chord bearing of South 11 degrees 00 minutes 45 seconds West a distance of 140.70 feet) to a ½" re-bar; Thence continuing along said right-of-way and proceeding to a curve having a radius of 1046.76 feet (said curve having an arc distance of 110.50 feet and being subtended by a chord bearing of South 04 degrees 08 minutes 05 seconds West a distance of 110.44 feet) to a point; Thence continuing along said right-of-way and proceeding South 00 degrees 05 minutes 03 seconds West for a distance 94.36 feet to a point; Thence proceeding to a curve having a radius of 1342.85 feet (said curve having an arc distance of 120.72 feet and being subtended by a chord bearing of South 01 degrees 12 minutes 40 seconds East a distance of 120.68 feet) to a point; Thence continuing along said right-of-way and proceeding South 82 degrees 16 minutes 17 seconds West for a distance of 25.00 feet to a point; Thence continuing along said right-of-way and proceeding South 07 degrees 21 minutes 43 seconds East for a distance of 224.60 feet to a ½" re-bar; Thence continuing along said right-of-way and proceeding South 07 degrees 28 minutes 06 seconds East for a distance of 174.58 feet to a right of way monument; Thence leaving said right-of-way of Forrest Park Road and proceeding along the right-of-way of Interstate Highway 285 (having a variable right-of-way) South 32 degrees 06 minutes 43 seconds West for a distance of 107.28 feet to a right-of-way monument found; Thence continuing along said right-of-way and proceeding South 63 degrees 28 minutes 51 seconds West for a distance of 976.85 feet to a right-of-way monument found; Thence continuing along said right-of-way and proceeding to a curve having a radius of 3862.96 feet (said curve having an arc distance of 220.47 feet and being subtended by a chord bearing of South 61 degrees 56 minutes 04 seconds West a distance of 220.44 feet) to a #4 re-bar found; Thence continuing along said right-of-way and proceeding to a curve having a radius of 3862.96 feet (said curve having an arc distance of 279.65 feet and being subtended by a chord bearing of South 58 degrees 13 minutes 32 seconds West a distance of 279.59 feet) to a 3/8" re-bar found; Thence leaving said right-of-way and proceeding along a land lot line (formed by Land Lots 2 & 31) North 01 degrees 08 minutes 29 seconds East for a distance of 140.97 feet to a ¾" open top; Thence continuing along said land lot line and proceeding North 01 degrees 05 minutes

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15 seconds East for a distance of 843.65 feet to a point; Thence continuing along said land lot line and proceeding North 00 degrees 29 minutes 22 seconds East for a distance of 823.67 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said parcel containing 43.35 acres



7-06-13

RCS# 114
3/06/06
3:38 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0567 0568 0569 0570 0571 0572 0573
0574 0575 0576 0577 0566 TO ZRB & ZONING
REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	NV Moore	Y Mitchell
NV Hall	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE